

REMARKS

Applicant respectfully requests a three month extension of time to respond to the Office Action mailed July 12, 2007. Filed herewith is a Request for Extension of Time Pursuant to 37 CFR 1.136.

I. PENDING CLAIMS AND SUPPORT FOR AMENDMENTS

Claims 21-38 are presently pending in the application, claims 1-20 having been canceled.

Claim 21 has been amended to include “maintaining the pressure” to more clearly set forth that the higher pressure is maintained for the dissolution time. Support for this amendment to claim 21 may be found on page 5, lines 9-10 of the present specification.

Claim 21 has also been amended to refer to “a waste material comprising nylon”. Support for this amendment may be found on page 3, lines 14-15 of the present specification. Claims 22 and 33 have been also been amended to refer to “the waste material” of claim 21 in view of the amendment to claim 21.

Claim 38 has been amended to recite a range of “82-100%”. As noted by the Examiner, the table on page 9 of the present specification provides support for this amendment.

Claims 21-38 stand rejected under 35 USC 103(a). Claims 38 also stands rejected under 35 USC 112, first paragraph.

II. REJECTION OF CLAIM 38 UNDER 35 USC 112, FIRST PARAGRAPH

The rejection of claim 38 under 35 USC 112, first paragraph is respectfully traversed. As indicated above, Applicant has amended claim 38 to refer to a range of “82-100%”, and the Examiner is respectfully requested to withdraw the rejection.

III. REJECTIONS OF CLAIMS 21-38 UNDER 35 USC 103(a)

The rejection of claims 21-38 under 35 USC 103(a) as obvious over Yang et al. (U.S. Patent No. 6,036,726) is respectfully traversed.

The presently presented claims have been amended to further delineate the differences between the claimed process and the processes disclosed in Yang et al. in order to expedite their allowance. As noted above, claim 21 has been amended to refer to a waste material comprising nylon and to specify that the elevated pressures are maintained for the dissolution time. Yang et al. do not disclose or suggest the presently claimed process that advantageously recovers nylon without downcycling from waste materials comprising nylon such as carpet tiles.

As noted by the Examiner, Yang et al. disclose a temperature range of 140-220 C for their process, yet their preferred range is 160-180 C (Col. 2, lines 37-38) which teaches away from the presently claimed range. Tables 6-8 in Example 11 of Yang et al., shows that 100% dissolution was only obtained at temperatures of 160 C or above; temperatures above the presently claimed ranges.

Further, Example 11 of Yang et al. was conducted with “white, virgin fiber” (Col. 13, line 2). The present claims are directed to a process for recovering nylon from a waste material comprising nylon. One of ordinary skill in the art would have

no reason to conclude, or suspect, from Example 11 of Yang et al. that the process disclosed in Example 11 would achieve similar results with waste material wherein the nylon component may be dyed, and the waste material may comprise glue, backing and other non-nylon components.

Further, although Yang et al. may disclose pressures and temperatures which may overlap the presently claimed ranges, Yang et al. does not suggest the presently claimed process which includes a combination of defined steps. Further, Yang et al. is silent with respect to the yield from his process, wherein the presently claimed process seeks a desired yield, and the Examples of the present specification describe processes with yields of up to 100%.

For at least these reasons, the present claims are not obvious in view of Yang et al. and the Examiner is respectfully requested to withdraw the rejection of claims 21-38 under 35 USC 103(a).

CONCLUSION

The present claims are clear and definite, fully supported by an adequate and enabling written description, and define novel and nonobvious subject matter. They are in condition for immediate allowance. An early notification to that effect is earnestly solicited.

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Order Account No. 11-0855.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Calkins', is written over a horizontal line.

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